



USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/27/2022

MEMO ENDORSED

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
 100 CHURCH STREET
 NEW YORK, N.Y. 10007

NICOLETTE PELLEGRINO
Assistant Corporation Counsel
 Phone: (212)356-2338
 Fax: (212)356-3509
 npellegr@law.nyc.gov

November 25, 2022

VIA E.C.F.

Honorable Katharine H. Parker
 United States Magistrate Judge
 United States District Court
 Southern District of New York
 500 Pearl Street
 New York, New York 10007

Re: Alexander Williams Jr. v. City of New York, et al.,
 22-CV-3819 (PGG) (KHP)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney representing Defendants City of New York, New York City Department of Correction (“DOC”) Deputy Warden Tiffany Morales, DOC Assistant Deputy Warden Tyneka Greene, and DOC Correction Officer Kevin Young (collectively, “Defendants”) in this matter.¹ Defendants write to respectfully request an adjournment of the November 29, 2022 telephonic Case Management Conference.

This is the Defendants’ first request for an adjournment of the November 29, 2022 Conference. Due to Plaintiff’s current incarceration status, Defendants have not been able to ascertain his position on the instant request.

By way of relevant background, on September 13, 2022 the parties appeared for an initial case management telephonic conference. That same day, the Court set forth a scheduling order, which, *inter alia*, set discovery deadlines, ordered defendants to respond to the governing pleading by November 3, 2022, and scheduled a telephonic Case Management Conference for November 29, 2022. (See Dkt. No. 40.)

¹ This case has been assigned to Assistant Corporation Counsel Mary Jane Anderson, who is not yet admitted to the New York State Bar. Ms. Anderson is handling this matter under my supervision and may be reached at (212) 356-2415 or maanders@law.nyc.gov.

On October 27, 2022, Defendants requested a sixty (60) day extension of time for most of the deadlines detailed in that Order due to, *inter alia*, the various incidents involving multiple defendants alleged in the governing pleading, and the need for this Office to investigate all of the allegations in accordance with its Rule 11 obligations, and determine representation for the named defendants pursuant to Section 50-k of the New York General Municipal Law. (See Dkt. No. 45.)

On October 28, 2022, the Court granted the Defendants' requests, including but not limited to, extending the time to respond to the Second Amended Complaint to January 3, 2023. (See Dkt. 46.)

However, in their October 27, 2022 Letter Application, the Defendants inadvertently failed to request a corresponding adjournment of the November 29, 2022 conference. (See Dkt. No. 45.) Nevertheless, for the reasons detailed in the Defendants' October 27, 2022 Letter Application, the Defendants respectfully request a corresponding adjournment of the November 29, 2022 Conference. Defendants respectfully contend that adjourning the November 29, 2022 Case Management Conference to a date after the Defendants respond to the governing pleading, which is consistent with the Court's September 13, 2022 Order, is in the best interest of both the Court and the parties and to promote judicial efficiency.

Relatedly, the undersigned has recently been assigned to defend a federal civil trial in an unrelated matter, Nakia Taylor v. the City of New York, et al., 18-CV-08421 (AKH)(SDNY), where the Final Pretrial Conference is scheduled for November 29, 2022, at 10:00 am, which may conflict with the Case Management Conference scheduled in this matter. Should the Taylor conference last more than two hours, the undersigned will be unable to also participate in the telephonic case management conference in this matter.

Accordingly, for these reasons, Defendants respectfully request an adjournment of the November 29, 2022 telephonic Case Management Conference.

Defendants thank the Court for its consideration.

Respectfully submitted,

/s/ Nicolette Pellegrino
Nicolette Pellegrino
Assistant Corporation Counsel
Special Federal Litigation Division

CC: VIA FIRST-CLASS MAIL
Alexander Williams, Jr.
(B&C 1411801632)
George R. Vierno Center
09-09 Hazen Street
East Elmhurst, New York 11370

APPLICATION GRANTED: The telephonic Case Management Conference in this matter scheduled for Tuesday, November 29, 2022 at 12:00 p.m. is hereby rescheduled to Wednesday, February 1, 2023 at 11:00 a.m. It is hereby ORDERED that the Warden or other official in charge of the George R. Vierno Center Correctional Facility produce plaintiff Alexander Williams, Jr., NYSID #01897858L/B&C #1411801632, on Wednesday, February 1, 2023 at 11:00 a.m., to a suitable location within the George R. Vierno Correctional Facility that is equipped with a telephone, for the purpose of participating by telephone in a conference with the Court and defendants' counsel. If the scheduled time and date presents a hardship, the Warden or the Wardens designee should promptly inform chambers by calling (212) 805-0234. Defendants' counsel must: (1) send this Order to the Warden immediately; (2) contact the George R. Vierno Correctional Facility to arrange the call and determine the telephone number at which the plaintiff will be reachable at the above time and date; and (3) telephone Judge Parker's teleconference line at (866) 434-5269, Access code: 4858267, with the plaintiff on the line, at the time and date of the conference. The Clerk of Court is requested to mail a copy of this order to the plaintiff.

APPLICATION GRANTED

Katharine H. Parker

Hon. Katharine H. Parker, U.S.M.J.

11/27/2022